



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

DYMECKI

Appl. No. 08/866,279

Group Art Unit: 1632

Filing Date: May 30, 1997

Examiner: A.-M. Baker

FOR: USE OF FLP RECOMBINASE IN MICE

Declaration of Dr. Susan M. Dymecki

I, Susan M. Dymecki, solemnly affirm and attest to the truth of the following:

- 1) I am the inventor named for the above-referenced patent application.
- 2) I am also one of the authors named on the paper published in Neuron, Vol. 27, 475-86, in September 2000 (hereafter "Neuron" paper).
- 3) I have read the Office Action dated July 18, 2001, and it is my understanding that the Examiner has raised several questions concerning the results published in the Neuron paper. Specifically, the Examiner has requested clarification as to (1) whether the FLP recombinase employed for the studies reported in the Neuron paper was the same version of FLP as was used in the methods reported in the specification, and (2) whether integration of the indicator transgene was accomplished via site-specific targeted integration or by random integration.
- 4) Being both the inventor named on the application and one of the named authors, I can confirm that the FLP version used in the methods of the application, F70L, was the same version used for the results reported in the Neuron paper. The FLPe version of the recombinase was also used in the Neuron paper methods, but only as a positive control. In the strains of transgenic mice used for cell fate mapping, the F70L version was used.

5) Being both the inventor named on the application and one of the named authors, I can also confirm that the indicator transgene construct Hmger::FRTZ was integrated randomly into fertilized eggs, and was not targeted to any particular site predetermined to be necessary for expression.

6) The undersigned declares that all statements made herein of my personal knowledge are true and that all statements made on information and belief are believed true; and further that these statements were made with the knowledge that any willful false statements are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of this patent application or any patent issuing thereon.

10/16/2001

Date

Susan Dymcecki

Dr. Susan M. Dymcecki